

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:
The County of Cuyahoga, Ohio, et al. v.
Purdue Pharma L.P., et al.
Case No. 17-op-45004

MDL No. 2804

Case No. 1:17-md-2804

Hon. Dan Aaron Polster

**DEFENDANTS RITE AID OF MARYLAND, INC., RITE AID HDQTRS. CORP.'S,
AND RITE AID OF OHIO, INC.'S ANSWER TO CUYAHOGA COUNTY'S THIRD
AMENDED COMPLAINT AS AMENDED BY AMENDMENT BY INTERLINEATION**

Defendants Rite Aid of Maryland, Inc. d/b/a Mid-Atlantic Customer Support Center, Rite Aid Hdqtrs. Corp.'s, and Rite Aid of Ohio, Inc. (collectively "Rite Aid") by and through counsel, hereby answer Plaintiff the County of Cuyahoga, Ohio's ("Plaintiff") operative Complaint¹ in accordance with the numbered paragraphs thereof.² Rite Aid incorporates in full its answer to the

¹ As of this filing, Plaintiffs' operative complaint is the Third Amended Complaint filed on March 21, 2019 and the Amendment by Interlineation filed on November 20, 2019.

² Rite Aid files this Answer to comply with the directives of the Court and the Special Master and without prejudice to the Pharmacy Defendants' Motion to Dismiss previously filed at MDL Docket No. 3036 or Rite Aid Corporation's Motion to Dismiss for Lack of Personal Jurisdiction previously filed at MDL Docket No. 3042. This Answer responds only to the Amendment by Interlineation to the Third Amended Complaint filed in *County of Cuyahoga, Ohio v. Purdue Pharma L.P.*, No. 17-OP-45004 (N.D. Ohio) (MDL Docket No. 2944), and does not respond to the Amendment by Interlineation to the Third Amended Complaint filed in *County of Summit, Ohio v. Purdue Pharma L.P.*, No. 18-OP-45090 (N.D. Ohio) (MDL Docket No. 2943). On December 19, 2018, the Court ordered Rite Aid of Maryland, Inc. d/b/a Mid-Atlantic Customer Support Center (and all other defendants in this proceeding at that time) to respond to the Second Amended Corrected Complaint filed by Summit County (MDL Docket No. 1203). On April 25, 2019, Special Master Cohen ruled that Rite Aid of Maryland, Inc. did not have to answer the Third Amended Complaint filed by Summit County as Rite Aid of Maryland, Inc.'s Answer to the Second Amended Corrected Complaint was deemed operative (MDL Docket No. 1576). As of this filing, neither the Court nor Special Master Cohen have ordered any Defendant to answer the Third Amended Complaint filed by Summit County. On December 13, 2019, Special Master Cohen stated in an e-mail correspondence to the parties that the Track 1B Defendants "need only file answers to the Amendments-by-Interlineation." On December 21, 2019, via a subsequent e-mail correspondence to the parties, Special Master Cohen confirmed that "the Answers Defendants are required to file . . . should be responsive only to the paragraphs in the Amendments by Interlineation . . . and not the full Complaints."

County of Summit's Second Amended Corrected Complaint filed on January 1, 2019 (MDL Docket No. 1263), including its affirmative defenses.

GENERAL DENIAL

Rite Aid denies all allegations contained in the table of contents, headings, titles, or footnotes of the Complaint.

ANSWER TO ALLEGATIONS IN AMENDMENT BY INTERLINEATION

The allegations in the preamble paragraph of Plaintiff's Amendment by Interlineation are denied. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information speaks for itself and any interpretation or characterization of it is denied.

1. The allegations of Paragraph No. 1 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 1, and therefore denies the allegations.

2. The allegations of Paragraph No. 2 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 2, and therefore denies the allegations.

Consequently, this Answer responds only to the Amendments by Interlineation as filed by Cuyahoga County (MDL Docket No. 2944) and not the remaining allegations set forth in Cuyahoga County's Third Amended Complaint.

3. The allegations of Paragraph No. 3 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 3, and therefore denies the allegations.

4. Rite Aid admits the allegations contained in Paragraph No. 4 that Rite Aid of Maryland, Inc., d/b/a Rite Aid Mid-Atlantic Customer Support Center, Inc. is a subsidiary of Rite Aid Corporation, is a Maryland corporation based in Camp Hill, Pennsylvania, and that it distributed prescription opioids in the United States prior to October 2014, including in Ohio and Cuyahoga County. Rite Aid denies that Rite Aid of Maryland, Inc., d/b/a Rite Aid Mid-Atlantic Customer Support Center, Inc. distributed prescription opioids throughout the United States. Rite Aid denies all allegations in reference to “Rite Aid Headquarters Corp.,” but admits that Rite Aid Hdqtrs. Corp. is a Delaware Corporation with its principal office located in Camp Hill, Pennsylvania. The remaining allegations in Paragraph No. 4 are denied.

5. It is admitted that Rite Aid of Ohio, Inc. is an Ohio corporation with its principal place of business in Ohio that owned and operated retail Rite Aid pharmacies in Ohio, including in Cuyahoga County. It is further admitted that Rite Aid of Ohio, Inc. ordered controlled substances from wholesalers, including Rite Aid of Maryland and Eckerd Corporation. Rite Aid denies the allegation that the non-served entities referenced in Paragraph No. 5 may be referred to as “Rite Aid.” The remaining allegations in Paragraph No. 5 are denied.

6. Rite Aid denies all allegations in Paragraph No. 6.

7. The allegations of Paragraph No. 7 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 7, and therefore denies the allegations.

8. The allegations of Paragraph No. 8 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid only admits that Walgreens acquired certain Rite Aid stores, and denies the remaining allegations of Paragraph No. 8.

9. The allegations of Paragraph No. 9 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 9, and therefore denies the allegations.

10. It is admitted only that Plaintiffs refer to Rite Aid as a “National Retail Pharmacy” in its Complaint. It is denied that Rite Aid is, in fact, a “National Retail Pharmacy.” Insofar as the remaining allegations in Paragraph No. 10 pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them. Rite Aid also denies the allegations in Paragraph No. 10 to the extent they impute the behavior of other defendants to Rite Aid.

1. The allegations of Paragraph No. 1 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

2. The allegations of Paragraph No. 2 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

3. The allegations of Paragraph No. 3 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

4. The allegations of Paragraph No. 4 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

5. The allegations of Paragraph No. 5 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

6. The allegations of Paragraph No. 6 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

7. The allegations of Paragraph No. 7 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

8. The allegations of Paragraph No. 8 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

9. Rite Aid denies all allegations in Paragraph No. 9. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

10. Rite Aid denies all allegations in Paragraph No. 10. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

11. Rite Aid denies all allegations in Paragraph No. 11. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

12. Rite Aid denies all allegations in Paragraph No. 12. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

13. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 13, and therefore denies the allegations.

14. The allegations of Paragraph No. 14 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 14, and therefore denies the allegations.

15. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 15, and therefore denies the allegations.

16. Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 16, and therefore denies the allegations. The quoted language from the National Association of Chain Drug Stores Model Compliance Manual speaks for itself and any interpretations or characterizations by Plaintiffs thereof are denied.

17. The allegations of Paragraph No. 17 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

18. Rite Aid denies all allegations in Paragraph No. 18. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

19. The allegations of Paragraph No. 19 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

20. Rite Aid denies all allegations in Paragraph No. 20. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

21. Rite Aid denies all allegations in Paragraph No. 21. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

22. Rite Aid denies all allegations in Paragraph No. 22. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies the allegations.

23. The allegations of Paragraph No. 23 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

24. The allegations of Paragraph No. 24 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 24, and therefore denies the allegations.

25. The allegations of Paragraph No. 25 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 25, and therefore denies the allegations.

26. The allegations of Paragraph No. 26 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 26, and therefore denies the allegations.

27. The allegations of Paragraph No. 27 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 27, and therefore denies the allegations.

28. The allegations of Paragraph No. 28 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 28, and therefore denies the allegations.

29. The allegations of Paragraph No. 29 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 29, and therefore denies the allegations.

30. The allegations of Paragraph No. 30 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 30, and therefore denies the allegations.

31. The allegations of Paragraph No. 31 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 31, and therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied.

32. The allegations of Paragraph No. 32 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 32, and therefore denies the allegations.

33. The allegations of Paragraph No. 33 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 33, and therefore denies the allegations.

34. The allegations of Paragraph No. 34 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 34, and therefore denies the allegations.

35. The allegations of Paragraph No. 35 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 35, and therefore denies the allegations.

36. The allegations of Paragraph No. 36 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 36, and therefore denies the allegations.

37. The allegations of Paragraph No. 37 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 37, and therefore denies the allegations.

38. The allegations of Paragraph No. 38 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 38, and therefore denies the allegations.

39. The allegations of Paragraph No. 39 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 39, and therefore denies the allegations.

40. The allegations of Paragraph No. 40 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 40, and therefore denies the allegations.

41. The allegations of Paragraph No. 41 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 41, and therefore denies the allegations.

42. The allegations of Paragraph No. 42 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 42, and therefore denies the allegations.

43. The allegations of Paragraph No. 43 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 43, and therefore denies the allegations.

44. The allegations of Paragraph No. 44 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 44, and therefore denies the allegations.

45. The allegations of Paragraph No. 45 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 45, and therefore denies the allegations.

46. The allegations of Paragraph No. 46 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 46, and therefore denies the allegations.

47. The allegations of Paragraph No. 47 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 47, and therefore denies the allegations.

48. The allegations of Paragraph No. 48 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 48, and therefore denies the allegations.

49. The allegations of Paragraph No. 49 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 49, and therefore denies the allegations.

50. The allegations of Paragraph No. 50 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 50, and therefore denies the allegations.

51. The allegations of Paragraph No. 51 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 51, and therefore denies the allegations.

52. The allegations of Paragraph No. 52 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 52, and therefore denies the allegations.

53. The allegations of Paragraph No. 53 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 53, and therefore denies the allegations.

54. The allegations of Paragraph No. 54 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 54, and therefore denies the allegations.

55. The allegations of Paragraph No. 55 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 55, and therefore denies the allegations.

56. The allegations of Paragraph No. 56 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 56, and therefore denies the allegations.

57. The allegations of Paragraph No. 57 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 57, and therefore denies the allegations.

58. The allegations of Paragraph No. 58 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 58, and therefore denies the allegations.

59. The allegations of Paragraph No. 59 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 59, and therefore denies the allegations.

60. The allegations of Paragraph No. 60 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 60, and therefore denies the allegations.

61. The allegations of Paragraph No. 61 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 61, and therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied.

62. The allegations of Paragraph No. 62 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 62, and therefore denies the allegations.

63. The allegations of Paragraph No. 63 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 63, and therefore denies the allegations.

64. Rite Aid denies all allegations in Paragraph No. 64. Paragraph No. 64 attempts to characterize a 2013 Purdue document, which speaks for itself and any interpretation or characterization thereof is denied. To extent the allegations of Paragraph No. 64 are directed to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 64, and therefore denies the allegations.

65. Rite Aid denies all allegations in Paragraph No. 65. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied.

66. Rite Aid denies all allegations in Paragraph No. 66.

67. Rite Aid denies all allegations in Paragraph No. 67.

68. Rite Aid denies all allegations in Paragraph No. 68.

69. Rite Aid denies all allegations in Paragraph No. 69.

70. Rite Aid denies all allegations in Paragraph No. 70. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied. To extent the allegations of

Paragraph No. 70 are directed to other defendants, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 70, and therefore denies the allegations.

71. Rite Aid denies all allegations in Paragraph No. 71. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied. Rite Aid denies the allegations in this paragraph to the extent the allegations purport to characterize information related to a CVS store as a Rite Aid store.

72. Rite Aid denies all allegations in Paragraph No. 72.

73. Rite Aid denies all allegations in Paragraph No. 73. By way of additional answer, the DEA license of a doctor in the County was suspended following a tip provided to law enforcement by a Rite Aid pharmacist, preventing that doctor from writing prescriptions for opioids more than one year before he was convicted and became publicly notorious as a “pill mill” doctor.

74. Rite Aid denies all allegations in Paragraph No. 74. To the extent the allegations in this paragraph are deemed in whole or part to be factual, the referenced agreement speaks for itself, and Plaintiffs’ attempt to characterize the terms thereof is denied.

75. Rite Aid denies all allegations in Paragraph No. 75. To the extent the allegations in this paragraph are deemed in whole or part to be factual, the referenced settlement speaks for itself, and Plaintiffs’ attempt to characterize the terms thereof is denied.

76. Rite Aid denies all allegations in Paragraph No. 76. To the extent the allegations in this paragraph are deemed in whole or part to be factual, the referenced settlement and DEA publication speak for itself, and Plaintiffs’ attempt to characterize the terms thereof is denied.

77. The allegations of Paragraph No. 77 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 77, and therefore denies the allegations.

78. The allegations of Paragraph No. 78 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 78, and therefore denies the allegations.

79. The allegations of Paragraph No. 79 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 79, and therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied.

80. The allegations of Paragraph No. 80 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 80, and therefore denies the allegations.

81. The allegations of Paragraph No. 81 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 81, and therefore denies the allegations.

82. The allegations of Paragraph No. 82 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 82, and therefore denies the allegations.

83. The allegations of Paragraph No. 83 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 83, and therefore denies the allegations.

84. The allegations of Paragraph No. 84 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 84, and therefore denies the allegations.

85. The allegations of Paragraph No. 85 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 85, and therefore denies the allegations.

86. The allegations of Paragraph No. 86 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 86, and therefore denies the allegations.

87. The allegations of Paragraph No. 87 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 87, and therefore denies the allegations.

88. The allegations of Paragraph No. 88 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 88, and therefore denies the allegations.

89. The allegations of Paragraph No. 89 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 89, and therefore denies the allegations.

90. The allegations of Paragraph No. 90 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 90, and therefore denies the allegations.

91. The allegations of Paragraph No. 91 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 91, and therefore denies the allegations.

92. The allegations of Paragraph No. 92 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 92, and therefore denies the allegations.

93. The allegations of Paragraph No. 93 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 93, and therefore denies the allegations.

94. The allegations of Paragraph No. 94 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 94, and therefore denies the allegations.

95. The allegations of Paragraph No. 95 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 95, and therefore denies the allegations.

96. The allegations of Paragraph No. 96 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 96, and therefore denies the allegations.

97. The allegations of Paragraph No. 97 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 97, and therefore denies the allegations.

98. The allegations of Paragraph No. 98 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 98, and therefore denies the allegations.

99. The allegations of Paragraph No. 99 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 99, and therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied.

100. The allegations of Paragraph No. 100 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 100, and therefore denies the allegations.

101. The allegations of Paragraph No. 101 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 101, and therefore denies the allegations.

102. The allegations of Paragraph No. 102 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 102, and therefore denies the allegations.

103. The allegations of Paragraph No. 103 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 103, and

therefore denies the allegations. To the extent the allegations in this paragraph are based on information within the ARCOS data, the information that speaks for itself and any interpretation or characterization of it is denied.

104. The allegations of Paragraph No. 104 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 104, and therefore denies the allegations.

105. The allegations of Paragraph No. 105 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 105, and therefore denies the allegations.

106. The allegations of Paragraph No. 106 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 106, and therefore denies the allegations.

107. The allegations of Paragraph No. 107 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 107, and therefore denies the allegations.

108. The allegations of Paragraph No. 108 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 108, and therefore denies the allegations.

109. The allegations of Paragraph No. 109 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 109, and therefore denies the allegations.

110. The allegations of Paragraph No. 110 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 110, and therefore denies the allegations.

111. The allegations of Paragraph No. 111 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 111, and therefore denies the allegations.

112. The allegations of Paragraph No. 112 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 112, and therefore denies the allegations.

113. The allegations of Paragraph No. 113 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 113, and therefore denies the allegations.

114. The allegations of Paragraph No. 114 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph No. 114, and therefore denies the allegations.

115. The allegations of Paragraph No. 115 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 115, and therefore denies the allegations.

116. The allegations of Paragraph No. 116 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 116, and therefore denies the allegations.

117. The allegations of Paragraph No. 117 are directed to other defendants and therefore no response is required. To the extent a response is required, Rite Aid lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 117, and therefore denies the allegations.

118. The foregoing paragraphs are incorporated herein as if set forth in their entirety.

119. The allegations of Paragraph No. 119 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

120. The allegations of Paragraph No. 120 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

121. The allegations of Paragraph No. 121 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

122. The allegations of Paragraph No. 122 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

123. The allegations of Paragraph No. 123 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

124. The allegations of Paragraph No. 124 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

125. The allegations of Paragraph No. 125 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid

lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

126. The allegations of Paragraph No. 126 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

127. The allegations of Paragraph No. 127 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

128. The allegations of Paragraph No. 128 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

129. The allegations of Paragraph No. 129 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

130. The allegations of Paragraph No. 130 are conclusions of law to which no response is required. To the extent a response is required, the referenced statute speaks for itself and Plaintiffs' interpretations or characterizations thereof are denied. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

131. The allegations of Paragraph No. 131 are conclusions of law to which no response is required. To the extent a response is required, the referenced statutes and regulations speak for themselves and Plaintiffs' interpretations or characterizations thereof are denied. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

132. The allegations of Paragraph No. 132 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

133. The allegations of Paragraph No. 133 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

134. The allegations of Paragraph No. 134 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

135. Rite Aid is not defined as a Marketing Defendant in the Complaint, and it never manufactured nor marketed opioids. The allegations of Paragraph No. 135 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

136. Rite Aid is not defined as a Marketing Defendant in the Complaint, and it never manufactured nor marketed opioids. The allegations of Paragraph No. 136 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

137. Rite Aid is not defined as a Marketing Defendant in the Complaint, and it never manufactured nor marketed opioids. The allegations of Paragraph No. 137 are conclusions of law to which no response is required. To the extent a response is required, the referenced statute speaks for itself and Plaintiffs' interpretations or characterizations thereof are denied. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations.

138. To the extent Paragraph No. 138 is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

139. Rite Aid never manufactured nor marketed opioids. To the extent Paragraph No. 139 is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the

extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

140. Rite Aid never marketed opioids. To the extent Paragraph No. 140 is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

141. The allegations of Paragraph No. 141 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

142. To the extent Paragraph No. 142 is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

143. Rite Aid is not defined as a Marketing Defendant in the Complaint, and it never manufactured nor marketed opioids. The allegations of Paragraph No. 143 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

144. The allegations of Paragraph No. 144 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite

Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

145. The allegations of Paragraph No. 145 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

146. The allegations of Paragraph No. 146 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

147. The allegations of Paragraph No. 147 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

148. The allegations of Paragraph No. 148 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

149. The allegations of Paragraph No. 149 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

150. The allegations of Paragraph No. 150 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

151. Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph No. 151 and therefore denies them.

152. The allegations of Paragraph No. 152 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

153. The allegations of Paragraph No. 153 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

154. Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations of Paragraph No. 154 and therefore denies them.

155. The allegations of Paragraph No. 155 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

156. The allegations of Paragraph No. 156 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

157. The allegations of Paragraph No. 157 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

158. The allegations of Paragraph No. 158 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

159. The allegations of Paragraph No. 159 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

160. The allegations of Paragraph No. 160 are conclusions of law to which no response is required. To the extent this paragraph is deemed to contain allegations against Rite Aid, Rite Aid denies such allegations. To the extent these allegations pertain to other defendants, Rite Aid lacks knowledge and information sufficient to form a belief as to the truth of the allegations and therefore denies them.

GENERAL DENIAL

Rite Aid denies all allegations not specifically admitted in this Answer.

RESERVATION OF RIGHTS

Rite Aid reserves the right to amend its Answer to the Complaint, and to raise additional defenses as may be discovered during the course of this litigation and its continuing factual investigation.

WHEREFORE, Defendant Rite Aid respectfully requests that the claims alleged in the Complaint be dismissed in its entirety with prejudice, and that Rite Aid be awarded its costs of defense, including reasonable attorneys' fees.

Dated: December 23, 2019

Respectfully submitted,

/s/ Kelly A. Moore

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*Counsel for Rite Aid of Maryland, Inc., Rite
Aid of Ohio, Inc., and Rite Aid Hdqtrs. Corp.*

CERTIFICATE OF SERVICE

I certify that on December 23, 2019, the foregoing was electronically filed using the Court's CM/ECF system, and all counsel of record were served by operation of that system.

/s/ Kelly A. Moore
Kelly A. Moore